



\$DAE
#3

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

First named inventor: Steven Levine

Application No.: 10/054,686

Art Unit:

Filed: November 13, 2001

Examiner:

Title: Novelty Item

Attention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

The above-identified application became abandoned for failure to file a timely and proper reply to a notice to file missing parts dated February, 21, 2002. Applicant never received a copy of the Notice to File Missing Parts.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Enclosed are the following:

- (1) Check in the amount of \$524.00 to cover the filing fee;
- (2) Response to the Notice to File Missing Parts;
- (3) Declaration of the Inventor;
- (4) Five sheets of replacement drawings (Figures 1-12);
- (5) A check to cover the small entity Petition fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was

05/01/2003 AWONDAF1 00000009 10054686

01 FC:2453

650.00 OP

RECEIVED

MAY 01 2003

OFFICE OF PETITIONS

unintentional.

Respectfully submitted,



Thomas A. O'Rourke
Reg. No. 27,665
Bodner & O'Rourke
425 Broadhollow Road
Melville, New York 11747
(631) 423-2700

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

Date of Deposit: April 25, 2003

Print Name: Thomas A. O'Rourke

Signature: 